

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Harrison Lofton,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:10cv863
vs.	:	
	:	Chief Judge Susan J. Dlott
Charles Adkins, et al.,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on August 2, 2011 (Doc. 41), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired August 19, 2011, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's motion for default judgment against the original defendants (Doc. 6) and plaintiff's motion for summary judgment against the original defendants (Doc. 7) are **DENIED**.

The motion for summary judgment filed by defendants Bear, Comer, Jenkins and Reeder (Doc. 19) is **GRANTED**. The claims asserted in the first complaint against these defendants are **DISMISSED** without prejudice.

Defendants Mahlman, Parks and Adkins' motions to dismiss the second complaint (Docs. 20, 24, and 25) are **GRANTED**. All claims asserted against these defendants in the consolidated action are **DISMISSED** with prejudice.

The Court will certify pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of any Order

adopting the Report and Recommendation will not be taken in good faith. *See McGore v. Wigglesworth*, 114 F.3d 601 (6th Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court